Appl. No. 10/082,674
Amdt. dated December 6, 2005
Reply to Final Office Action of September 6, 2005

PATENT

REMARKS/ARGUMENTS

Claims 4 and 9-12 are pending in the application. In the Office Action, the Examiner rejected claims 4 and 9-14 under 35 U.S.C. §102(e) as allegedly being anticipated by Ginter et al. (US Patent 5,892,900, hereafter "Ginter"). The Examiner objected to claim 4 as including "the utilization charge" that is first introduced in claim 10.

With this amendment, the Applicants amend claim 4 to depend from claim 10. Claims 9, 11, and 12 are amended to further distinguish the claimed invention.

With respect to the claim rejections in view of Ginter, the differences between Ginter and the present invention are numerous. Respectfully, the Applicants submit that the Examiner appears to interpret Ginter incorrectly as follows.

(1) Application search function:

As mentioned in the previous amendment of June 3, 2005, Ginter distributes electronic content securely while protecting the copy rights. The electronic content is stored in plural repositories, which may be located at remote servers. Ginter provides "smart object agents" which search those repositories in response to the user request. Those repositories are not managed in a concentrated manner (column 38, line 36 to column 39, line 3 in Ginter).

In contrast, the present specification manages the contents by the ASP registration DB on the ASP electronic mall system in a concentrated manner. The search function 101 can extract the information by searching only one DB without using any agents.

The search scheme and search object of Ginter are different from the present invention. The present invention is characterized by having such ASP registration DB which manages the ASPs in a concentrated manner. For example, amended claim 9 includes, "an application execution unit operative to execute the requested application *on the electronic mall system* if the requested application is registered in the application service provider registration database, and to execute the linkable application *on the electronic mall system* if the linkable application is registered in the application service provider registration database with the requested application." There is no teaching (or suggestion) in Ginter of this element of claim 9.

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(2) Application execution function:

The "container" on column 134, lines 39-58 in Ginter appears to show one form for having many piece of information, and the container is a unit of the transmission. The container may include a real-time content and/or an online interactive content with administrative data, and the container is passed to the user node. The user executes the content.

The "ACCESS" on column 198, line 41 to column 199, line 31 in Ginter shows a "method" (a kind of program) for accessing the content. As shown in Fig. 54, steps 2010 to 2020, the encrypted content is loaded to the user by executing the ACCESS method. The application program (object) is not executed but the ACCESS method for loading the application program is executed. If the application is on the remote sites, the ACCESS method performs the complicated procedures, such as connections, routings, etc. instead of each user. In other words, the "method" is different from the application program or the contents.

On column 308, lines 36 to 61 of Ginter, the contents relating to one subject may be resident in different places. For example, if a stock price and a stock price analysis are resident on different servers, the user can obtain such information with one request as described on column 308, lines 62 to column 309, lines 24. However, this section of Ginter relates to obtaining the contents from the repository, but not to execution of the contents.

Accordingly, the parts of Ginter referenced by the Examiner do not show to execute the application program. In particular, amended claim 9 includes, "an application execution unit operative to execute the requested application *on the electronic mall system* if the requested application is registered in the application service provider registration database, and to execute the linkable application *on the electronic mall system* if the linkable application is registered in the application service provider registration database with the requested application." As above, there is no teaching (or suggestion) in Ginter of this element of claim 9.

(3) Linkable application registration and execution functions:

Fig. 43b and column 185, lines 15 to 53 in Ginter relate to an "administrative request," with an example for the same user registering two programs and the information on the programs, whereby a distributor can use the information for "preferential pricing." The

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spreadsheet software program is one example of the program that may be sold with a word processing program with a special price. The two programs may be a "suite" but they need not work together. The distributor may use such information for distributing programs. However, Ginter does not automatically distribute the "suite" of programs and Ginter does not execute any linkable programs.
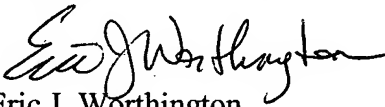
Accordingly, Applicants respectfully submit that the present invention is different from Ginter in the above-mentioned matters.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

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